



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,509	03/28/2001	Xiaofei Huang	005306.P007	5084

7590 07/07/2004

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Seventh Floor
12400 Wilshire Boulevard
Los Angeles, CA 90025-1026

EXAMINER

VAUGHN JR, WILLIAM C

ART UNIT	PAPER NUMBER
----------	--------------

2143

DATE MAILED: 07/07/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,509

Applicant(s)

HUANG ET AL.

Examiner

William C. Vaughn, Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4 and 9</u> . | 6) <input type="checkbox"/> Other: _____ |

WCV

DETAILED ACTION

1. This Action is in regards to the papers received on 24 November 2003.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement submitted on 03 September 2002 and 24 November 2003, have been considered by the examiner (see attached PTO-1449).
3. The application has been examined. **Claims 1-30** are pending. The objections and rejections cited are as stated below:

Drawings

4. The informal drawings filed in this application are acceptable for examination purposes.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. **Claims 1-30** are rejected under 35 U.S.C. 102(b) as being anticipated by Wright et al. (Wright), U.S. Patent No. 5,857,201.

7. Regarding independent claims 1 and 6, (exemplary independent claim 1), Wright discloses a method comprising synchronizing directly a computing device [see Wright, items 108, 110 and 112] and an enterprise server [see Wright, item 104, Col. 2, lines 23-57] comprising; retrieving a record extraction sequence from the server [see Wright, Col. 9, tables 3 and 4, Col. 10, lines 15-50]; and extracting records stored on a database according to the record extraction sequence, wherein the extracted records are not already stored on the computing

Art Unit: 2143

device [see Wright, Col. 2, lines 62-67, Col. 5, lines 1-67, Col. 6, lines 1-62]. By this rationale claims 1 and 6 are rejected.

8. Regarding dependent claims 2-5 and 7-10, the limitations of these claims are taught within the figures of Wright.

9. Claims 11-20 list all the same elements of claims 1-10, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claims 1-10 applies equally as well to claims 11-20.

10. Claims 21-30 all the same elements of claims 1-10, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claims 1-10 applies equally as well to claims 21-30.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wharton et al. (Wharton), U.S. Patent No. 5,831,664 in view of U.S. Patent No. 6,000,000.

13. Regarding independent claims 1 and 6, (exemplary independent claim 1), Wharton discloses the invention substantially as claimed. Wharton discloses a method comprising synchronizing a computing device and an enterprise server [see Wharton, Col. 1, lines 60-67, Col. 2, lines 1-54, col. 6, lines 19-49], However, Wharton does not explicitly disclose directly synchronizing and comprising; retrieving a record extraction sequence from the server and

Art Unit: 2143

extracting records stored on a database according to the record extraction sequence, wherein the extracted records are not already stored on the computing device.

14. In the same field of endeavor, Hawkins discloses (e.g., transferring and synchronizing multiple files between a handheld computer and a personal computer). Hawkins discloses directly synchronizing [see Hawkins, Col. 2, lines 56-67, Col. 3, lines 1-26, Col. 4, lines 26-54, Col. 6, lines 7-55] and comprising; retrieving a record extraction sequence from the server [see Hawkins, Col. 5, lines 14-67]; and extracting records stored on a database according to the record extraction sequence, wherein the extracted records are not already stored on the computing device [see Hawkins, Col. 5, lines 40-67 and Col. 6, lines 1-67].

15. Accordingly, it would have obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporated Hawkins' teachings of transferring and synchronizing multiple files between a handheld computer and a personal computer with the teachings of Wharton, for the purpose of allowing for synchronization between the handheld system and the personal computer system to communicate directly [see Hawkins, Col. 2, lines 40-54]. Thus, Wharton provides motivation to combine by stating there exist a need for an interactive system that allows for a wide range of interfaces to be presented to the user [see Wharton, Col. 1, lines 55-59]. By this rationale claims 1 and 6 are rejected.

16. Regarding dependent claims 2-5 and 7-10, the limitations of these claims are taught within the figures of Wharton-Hawkins.

17. Claims 11-20 list all the same elements of claims 1-10, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claims 1-10 applies equally as well to claims 11-20.

Art Unit: 2143

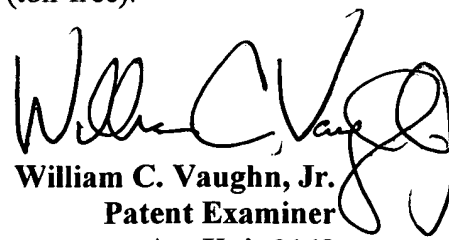
18. Claims 21-30 all the same elements of claims 1-10, but in system form rather than method form. Therefore, the supporting rationale of the rejection to claims 1-10 applies equally as well to claims 21-30.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Vaughn, Jr. whose telephone number is (703) 306-9129. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


William C. Vaughn, Jr.
Patent Examiner
Art Unit 2143
23 June 2004